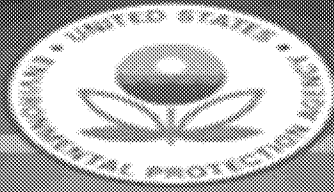


**From:** Bowles, Jack [Bowles.Jack@epa.gov]  
**Sent:** 3/28/2019 3:54:04 PM  
**Subject:** State & Local Weekly Report - March 28, 2019



# State & Local

**MARCH 28, 2019**

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**CURRENT AND UPCOMING**

## **Meeting with Santa Clara Valley Water District**

Representatives from Valley Water (aka Santa Clara Valley Water District) will meet with EPA on Monday, April 1 to discuss the Agency's Water Reuse Action Plan. Director Nai Hsueh and Rick Callender, Chief of External Affairs, will lead the delegation. Region IX will join OW and OIR staff for the meeting. *(Contact: M. Arnita Hannon Christmon)*

## **Meeting with Eastern Municipal Water District (CA)**

On Monday, April 1, District General Manager Paul Jones, and other representatives will meet with Jeff Lape, Deputy Director, Office of Science and Technology (OW), OIR, and Region IX, to discuss the EPA's Water Reuse Action Plan. EMWD provides water, wastewater, and recycled water services to 816,000 residents in a 555 square mile region of western Riverside County encompassing the cities of Hemet, San Jacinto, Moreno Valley, Perris, Menifee, Murrieta, Temecula, and several unincorporated rural communities. EMWD serves more than 250,000 domestic customers and approximately 130 agricultural customers. *(Contact: M. Arnita Hannon Christmon)*

## **Meeting with Las Virgenes Municipal Water District and Triunfo Sanitation District (Calabasas, CA)**

On Tuesday, April 2, Jay Lewitt, President, Board of Directors, and a team of District officials will meet with EPA to discuss the District's water recycling projects, and WIFIA. Region IX will join OW and OIR for the meeting. The representatives will highlight several projects that may be eligible to apply for WIFIA funding. They will also be interested in EPA's Water Reuse Action Plan. The dialogue will facilitate guidance from both headquarters the region. *(Contact: M. Arnita Hannon Christmon)*

## **Meeting with Sherwood, Oregon**

On Wednesday, April 3, Sherwood, Oregon Mayor Keith Mays, and the City's IT Director, Brad Crawford, will meet with EPA to discuss potential Brownfields Program support. The City is interested in Brownfields Cleanup funding to clean up, and return to productive reuse, two contaminated lots associated with a former

leather tannery site. In 2014, the City was awarded a Brownfields Assessment Grant to identify the source and extent of the contamination, and prepare the properties for cleanup and ultimate reuse. With the assessment complete, the City is in discussions to acquire the property to help facilitate the cleanup. The Office of Brownfields and Land Revitalization will join OIR and Region X for the meeting. *(Contact: M. Arnita Hannon Christmon)*

### **Waters of the U.S. Engagement**

EPA and the Army Corps of Engineers are continuing to engage with state, tribal, and local governments as well as other stakeholders on the proposed rule for the revised definition of Waters of the U.S. EPA and the Army have created targeted opportunities for state co-regulators engagements, including a February 26<sup>rd</sup> states meeting in Kansas City, Kansas, a March 11<sup>th</sup> states meeting in Atlanta, Georgia, a March 26<sup>th</sup> states meeting in Albuquerque, New Mexico, and a states meeting April 3<sup>rd</sup> in Seattle, Washington. Other state and local engagements are described elsewhere. On December 11, 2018, EPA and the Department of the Army signed a proposed rule to clarify federal authority under the Clean Water Act, which was the second step in a two-part process to review and revise the definition of WOTUS consistent with the February 2017 Presidential Executive Order entitled “Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the Waters of the United States Rule.” The proposed definition would replace the approach of the 2015 rule and pre-2015 regulations. The proposed rule was published February 14, 2019 and the comment period is open until April 15, 2019. *(Contact: Becky Cook-Shyovitz)*

## **LOCAL GOVERNMENT ADVISORY COMMITTEE**

The **LGAC Spring meeting** will be held **May 2<sup>nd</sup>-3<sup>rd</sup>** at EPA’s East Building 1153 Hearing room. A New Members Orientation session is planned for May 2<sup>nd</sup> for new and returning Members. The public meeting will feature Senior EPA officials and a panel of Assistant Administrators from the EPA Program offices. Invitations are currently out for speakers. The LGAC Workgroups focal topics and agenda are continuing to develop. An Intergovernmental Forum with guest speakers of national intergovernmental organizations is planned on May 2<sup>nd</sup> which will focus on risk communication and local governments. *(Contact: Fran Eargle)*

**LGAC 2019 Membership Solicitation** - EPA Regions and Headquarters and intergovernmental organizations have submitted their nominations to be considered for the Local Government Advisory Committee. OCIR is in the process of compiling nominations from the public and will soon begin scoring and ranking of the nominees. The Committee currently is chartered for 30 members. It is anticipated that **10-12 LGAC New Members** will be appointed in 2019. *(Contact: Fran Eargle).*

The LGAC Water Workgroup will meet on **April 1st, 4:30-6:00 p.m.** continuing work on their Waters of the U.S. (WOTUS) Charge. The Water Workgroup will hear from key intergovernmental organizations such as National Association of Counties (NACo), U.S. Conference of Mayors (USCM), National League of Cities (NLC), National Association of State Agriculture Departments (NASDA) and others to assist them with their WOTUS charge. LGAC Vice-chair Secretary Jeff Witte will lead a discussion on the agricultural provisions of the proposed rule. The next Water Workgroup meeting is planned for April 15<sup>th</sup>. *(Contact: Fran Eargle)*

The **Small Communities Advisory Subcommittee (SCAS)** is holding a teleconference on **Thursday, March 21, 2019**, during which they will be introduced to Britt Carter, Director of Intergovernmental Relations, and learned about recent EPA actions and priorities. In addition, the SCAS discussed potential advice and recommendations on the proposed redefinition of *Waters of the U.S.* and harmful algal blooms. *(Contact: Cristina Mercurio]*

### **WOTUS Briefing with NGA and Governors' Offices**

On Thursday, March 21, EPA and the Army Corps met with the National Governors' Association and Governors' DC representatives to provide an overview and receive feedback on the WOTUS proposal. Ryan Fisher, Principal Deputy Assistant Secretary of the Army (Civil Works), Lee Forsgren, Deputy Assistant Administrator for the Office of Water, and Dr. Owen McDonough, Senior Science Advisor for the Office of Water led the discussion, which included representatives from about a dozen governors' offices. (Contact: Becky Cook-Shyovitz)

### **EPA Meets with Stanislaus Council of Governments (CA)**

On Tuesday, March 26, Mayor Jeramy Young (Hughson, CA), Chair, StanCOG Policy Board, and Rosa De Leon Park, Executive Director, met with OW, OIR, and Region IX to discuss two priorities: **(1)** Federal, State, and Other Resources to support the Regional Surface Water Supply Project (RSWSP) that is led by the Stanislaus Regional Water Authority; and, **(2)** Funding for Groundwater Infrastructure in Small Towns and Municipalities. Dialogue with EPA staff focused on the Clean and Drinking Water SRFs; WIFIA; and resources and tools identified by the Water Infrastructure & Resiliency Finance Center. The local officials appreciated the extensive discussion and guidance, as well as a commitment to provide follow-up information, and for the Region to continue to serve as a resource.

StanCOG is the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA) for the Stanislaus region of California. It works to address regional issues including, but not limited to: transportation and infrastructure, air quality, water, and economic development. Member agencies include Stanislaus County and the Cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock, and Waterford.

The Regional Surface Water Supply Project will provide a safe and reliable high-quality treated surface water supply to supplement supplies for project sponsors and consumers to help meet the long-term drinking water needs of the region. Currently, the Project is estimated to cost \$278 million, which includes the design and construction of the Project facilities and local improvements required by both cities to integrate this new supply into their existing water systems. Ceres' portion of this cost is approximately \$100 million and Turlock's portion is approximately \$172 million. An additional \$6 million will be contributed by the Turlock Irrigation District for its portion of the Project. (Contact: M. Arnita Hannon Christmon)

### **City of Dubuque Presentation on Bee Branch Creek Restoration and Flood Mitigation Program**

On Wednesday, March 27, Mayor Roy Buol led a presentation on the successful completion of the Bee Branch Creek Restoration and Flood Mitigation project. Carolyn Berndt, Program Director for Sustainability, Federal Advocacy, National League of Cities, accompanied the Dubuque local delegation. Several local officials joined the mayor in presenting key features of the Project, including the integration of broader community programs and initiatives to impact public health, address economic challenges, promote sustainability, and implement a Healthy Homes program. The project was supported by partnerships with a number of Federal Agencies, most notably, EPA, along with HUD, EDA, USACE, Interior, and US DOT. The City considers EPA most critical in the success of the project, and appreciates support from all levels of government. Program Offices represented included the Office of Brownfields and Land Revitalization; OW's Water Permits Division and Clean Water SRF Program; OW's Nonpoint Source Pollution staff that also represents the "National Silver Jackets," – a group that includes FEMA, HUD, the Corps, and other members of the Federal Family; and, the Office of

Policy. Region VII and Fran Eargle, DFO for the LGAC, joined by telephone. Dubuque Assistant City Manager, Teri Goodwin, is a member of the LGAC. Staff engaged in dialogue with the Dubuque local leaders during the presentation, and then in small groups, following the presentation, per the various interests.

Mayor Buol and the city's team walked the audience through design, development and construction of the mile-long restored creek and linear park. Located in Dubuque, Iowa and situated in the City's most at-risk and historic neighborhoods, the Bee Branch Creek restoration and flood mitigation program is a \$219 million project aimed at restoring the homes, businesses and neighborhoods inundated by six Presidentially declared flash flood disasters over a twelve year period of time. From conceptual design, public engagement, funding, construction and now restoration and programming, this project informs those interested in community revitalization, green infrastructure, water quality, storm water management, funding opportunities and federal, state and local government collaboration and more. The presentation highlighted the completed project, discussed the effectiveness of strategic federal/state/local and private partnerships, resiliency and the City's next phase of restoration and recovery from the devastation of flooding.

Sustainable Communities Coordinator Gina Bell joined the mayor and others in providing historical context that led to the development of the project. The team noted that all of the development and initiatives the City has pursued and developed over the years are built on a firm foundation that links Mitigation, Adaptation, Equity, and Sustainability as part of the city's ethos. The emphasis in city planning and visioning has prioritized the environment, equity, and the economy within the Sustainability focus. The team, including Public Health Specialist Mary Rose Corrigan; Economic Development Director Jill Connors; Housing and Community Development Director Alexis Steger, Civil Engineer Deron Muehring, and Greater Dubuque Development Corporation "True North" Director Ed Raber, pointed to the city's "Healthy Community" commitment, including a goal of reducing emissions by 50% by the year 2030. They pointed proudly to support from HUD for the "Healthy Homes Project," and count that as a cornerstone of what they have labeled "Social Resiliency." The City's Climate Action Plan targets mitigation, adaptation, equity, and a focus on the most vulnerable populations and areas. The City also is proud of its Green Infrastructure project, progress in Watershed Management, Smart Growth/Sustainability technical assistance that enabled the launching of the "Bee Branch Watershed Beekeepers Program" in area schools. The City has positioned itself to be a model for other communities, and hope that the Bee Branch Creek project can be replicated in other areas. City Councilman Luis Del Toro joined the city's delegation to represent the support of the Council for the varied programs that mark the city's commitment to a healthy and vibrant community for its residents. Mayor Buol noted that he is always open to being a resource for other mayors and communities pursuing similar projects that priorities environmental, economic and social resiliency and sustainability. The city leaders appreciate EPA's commitment to continued partnerships, and they look forward to receiving follow-up information as discussed. *(Contact: M. Arnita Hannon Christmon)*

### **Mayors Water Council Convenes in Columbus, OH**

The US Conference of Mayors' Mayors Water Council met March 28 -29 to discuss priority policy issues of concern to the communities they represent. Mayors Jill Techel (Napa, CA) and David J. Berger (Lima, OH) are Council Co-Chairs. On March 29, Andrew Sawyers, Director, Office of Wastewater Management, Linda Holst, Deputy Director, Water Division, Region V, and Tiffani Kavelec, Chief, Ohio EPA Division of Surface Water participated in a policy discussion with mayors on "Implementing Integrated Planning." Mayor Berger chaired the session and posed critical questions concerning implementation of the new Water Infrastructure Improvement Act (PL 115-436). There is great interest from mayors around the nation in how Regional EPA and delegated State water permitting programs will respond to the new law.

The Council appreciates the continuing work with EPA on USCM policies addressing Integrated Planning and Permitting, Green Infrastructure promotion, and modified Financial Capability assessment. The Council Co-Chairs have noted that USCM member mayors look forward to continuing this engagement so the spirit of flexibility that they believe motivated Congress to adopt HR 7279 by overwhelming bipartisan and bicameral support can be maintained. The convening also focused on additional topics, including: “Defining Water and Sewer Affordability;” Renewable Energy and Water Infrastructure; Lead and Copper Rule-USEPA and the Michigan Experience; Emerging Rules – review of PFAS, Perchlorate, and WOTUS. *(Contact: M. Arnita Hannon Christmon)*

### **Meeting with Imperial County (CA) Officials**

On Wednesday, March 27, 2019, officials from the Imperial County, California, Board of Supervisors met with HQ intergovernmental and regulatory program staff as well as regional personnel to discuss developing plans, as well as prospective sources of funding, for a project proposed to protect and restore the Salton Sea, a shallow endorheic rift lake located directly on the San Andreas fault in Imperial and Coachella valleys. Saltier than the Pacific ocean, the Salton Sea supports an abundance of fish, a food source for millions of migratory birds on the Pacific flyway. Managing the sea’s natural, agricultural and municipal water inflows would allow California to protect regional health, ecological wealth and a stable water supply. Last year, California’s Natural Resources Agency received 11 proposals to increase water flow to the sea in order to reduce dust and dust-borne toxins. Additionally, legislation to create a new EPA grant program for the New River, a severely polluted river which flows north from Mexico was reintroduced this year. The New River is a bi-national waterway that formed in 1905 after the Colorado River broke through a series of dikes and triggered extensive flooding in the Salton sink. The river starts in Mexicali, Mexico, flows north into the U.S. from Calexico, California, and continues through the Imperial (county) Valley before eventually draining into the Salton Sea, where it deposits human, animal, medical and industrial waste, substances that far outstrip the capacity of typical residential raw sewage treatment plants. OW WIFIA staff recalled reviewing an application for a related Salton Sea project from the State during the first round of competition, and also recalled the debrief following the unsuccessful proposal. County officials were encouraged to reapply for the originally-proposed project through both WIFIA and the State revolving fund, with staff noting the potential complications with demonstrating credit-worthiness for the New River component of the project. County officials committed to keeping EPA advised on the status of various projects, as well as the pending New River legislation (H.R. 358 – Rep. Vargas) that has just been assigned to various committees. *(Contact: Andrew Hanson)*